

DEPARTMENT OF SOCIAL SERVICES

744 P Street, Sacramento, CA 95814



September 10, 1999

ALL-COUNTY INFORMATION NOTICE NO. I-67-99

TO: ALL COUNTY WELFARE DIRECTORS
ALL FOOD STAMP COORDINATORS

REASON FOR THIS TRANSMITTAL

- ☐ State Law Change
- ☐ Federal Law or Regulation Change
- ☒ Court Order or Settlement Agreement
- ☐ Clarification Requested by One or More Counties
- ☐ Initiated by CDSS

SUBJECT: FAIRNESS HEARINGS FOR LOPEZ v. GLICKMAN COURT CASE

REFERENCES: ACLS 96-43, 96-51 AND 96-59

The purpose of this letter is to instruct the counties to display the enclosed poster (Temp 2176 multilingual) to inform potential class members about a proposed settlement in the case, Lopez v. Glickman. The poster tells class members how to object to the settlement, how to opt out of the settlement, and answers questions that potential class members might have about the settlement. Counties must display the poster from September 17, 1999 through October 18, 1999, as required by court order.

Before a settlement between plaintiffs and defendants can be approved by the court, 30-day advance notice of fairness hearings must be given to potential class members. These fairness hearings allow class members to tell the court if they object to the proposed settlement. The Lopez fairness hearing will be in Sacramento on November 1, 1999. If approved, this settlement, will settle all outstanding litigation involving the state and the counties relative to balancing food stamp underissuances with food stamp overissuances.

If you have any questions regarding the above information or the Lopez settlement, please call Cindy MacDonald at (916) 654-1898.

Sincerely,

*Original document signed by
Suzanne Nobles on 9-10-99 for*

CHARR LEE METSKER, Chief
Employment and Eligibility Branch

Enclosure

NOTICE OF PROPOSED SETTLEMENT OF CLASS ACTION LAWSUIT

(Lopez v. Glickman, et al.)

TO PERSONS WHO HAVE RECEIVED FOOD STAMPS AT ANY TIME SINCE JULY 1992

If you received a Food Stamp overissuance that was caused by the county and it was deducted from an underissuance owed to you, you are a member of the plaintiff class in this lawsuit. Under the terms of the proposed settlement of this lawsuit, an injunction will be issued to stop the practice of deducting food stamp overissuances caused by the county from any underissuances which may be owed to you.

Additionally, to settle any past claims arising from this practice, under the terms of the proposed settlement, a sum of \$2.3 million will be paid by the federal government to purchase and distribute additional food to California food banks and soup kitchens. This payment will be made instead of repaying class members for past deductions of overissuances from underissuances. The parties in the lawsuit agree that it would be very difficult and inordinately costly to find all of the class members and calculate the amount to repay them. Also, class members might not want to be repaid because there would be questions about whether the class members would then owe the county overissuances.

In exchange for this payment, the plaintiffs in the Lopez lawsuit agree to dismiss all remaining claims at issue in the lawsuits. Attorneys' fees and costs may be awarded by the court in an amount not yet determined but which will not affect the amount of the distribution described above.

The full terms of the settlement are on file with the Clerk of the Court, United States Courthouse, Sacramento, California 95814. You can get a copy of the proposed settlement by writing to plaintiffs at Northern California Lawyers of Civil Justice, 604 12th Street, Sacramento, California 95814.

A hearing will be held regarding this proposed settlement. The hearing will be held on November 1, 1999 in Courtroom 4 of the United States Courthouse, Sacramento, California, at which time the Federal District Court will decide whether to approve this final settlement.

If you agree with this settlement, you do not have to do anything. If you disagree with the settlement, you must write a letter to the Clerk of the U.S. District Court. If you write a letter to the Clerk of the U.S. District Court, you must mail it to: Clerk, U.S. District Court, Sacramento, California 95814, and give the case name Lopez v. Glickman, case number CIV-S-93-1245 LKK JFM and your reasons for objecting. **Do not call.** Your letter must be postmarked no later than October 18, 1999.

Any member of the class who does not make and file her or his written objections in the manner provided above shall be deemed to have waived such objections and shall forever be foreclosed from making any objections (by appeal or otherwise) to the proposed settlement.

If you can't read this notice ask your worker for a translation.

- **Si desea una traducción de esta notificación, comuníquese con su trabajador.** *(Spanish)*
- 若需本通知的翻譯本，請和你的工作員聯絡。 *(Chinese)*
- សំរាប់សេចក្តីបកប្រែនៃប្រកាសនេះ សូមជួបទាក់ទងទៅអ្នកកាន់សំណុំរឿងរបស់លោកអ្នក ។ *(Cambodian)*
- **Для перевода этого извещения обратитесь к работнику.** *(Russian)*
- Để có bản dịch của thông báo này, xin liên lạc với nhân viên phụ trách hồ sơ của quý vị. *(Vietnamese)*